



REMARKS

Claims 1, 11, 12, and 15 have been amended. Claims 1-20 are pending in this matter.

1. Compliance with 35 U.S.C. 120

Applicant has amended the specification in accordance with the examiner's suggestions.

2. Objection to Claim 15 because of informalities

Applicant has amended claim 15 in accordance with the examiner's suggestions.

3. Amendments to claims 1 and 11

Claims 1 and 11 have been amended to more particularly define the present invention.

Claim 1 now specifies:

"... wherein at least one outer wall of each container is comprised of means for attaching each container to the base; and wherein each of the plurality of containers includes means for attaching each container to each other container so that the containers are stacked one on top of the other while the containers are attached to each other." (emphasis added).

Claim 11 includes similar limitations.

None of the patents cited by the examiner includes both a "means for attaching each container to the base" and a "means for attaching each container to each other container so that the containers are stacked one on top of the other while the containers are attached to each other" as specified in claims 1 and 11.

There is no disclosure or suggestion in any of the patents that both a "means for attaching each container to the base" and such a "means for attaching each container to each other container" should be provided. The examiner has stated that various containers of the prior art are "inherently stackable on one another". The applicant respectfully disagrees. However, even if

that is the case, there is no suggestion in the prior art that the containers should have means both for attaching to each other in a stacked format and for attaching to the base. In the present application container 100b, for example, includes recesses, such as recess 112b for attaching the container 100b to the base assembly 300 (Application, Fig. 13, similar description re container recess 112a of container 100a, p. 10, Ins. 12-20, Fig. 7 and Fig. 8) and the container 100b, includes recesses 151b – 154b, for attaching the container 100b to other containers in a stacked manner as shown in Fig. 13 (See application, p. 9, Ins. 15-18, “protrusions 172a, 174a, 176a, and 178a of the container 100a fit into the recesses of the container 100b at its top level octagon (i.e. in the same form as recesses 151a, 154a, 153a, and 152a shown for container 100a) when the container 100a is stacked on top of the container 100b as shown in Fig. 13.”)

For at least the foregoing reasons, claims 1 and 11, as amended are respectfully submitted to be allowable.

4. Claims 2-10, 17-18

Claims 2-10, and 17 are dependent on claim 1 and are submitted to be allowable for at least the same reasons as claim 1. Claim 18 is dependent on claim 11 and is submitted to be allowable for at least the same reasons as claim 11.

5. Terminal Disclaimer; Claims 12-16 and 19-20

Claims 12-16 and 19-20 have been rejected based on judicially created non-statutory type double patenting. The applicant is the owner and inventor of both this current applicant and U.S. patent no. 6,161,696. A terminal disclaimer is included with this response along with the fee for \$55.00.

Claim 12 has been amended merely to incorporate the limitations of originally filed claim


11. The substance of claim 12 is thus the same as originally filed. Claims 13-16 and 19-20 have not been amended.

There was no other ground of rejection asserted for claims 12-16 and 19-20, other than judicially created non-statutory type double patenting. Those claims are respectfully asserted to be allowable.

6. Conclusion:

In view of the foregoing the remaining claims in the case (claims 1-20) are respectfully submitted to be in a condition for allowance. A check for \$40.00 for an additional independent claims is enclosed along with the \$55.00 fee for a terminal disclaimer. Favorable reconsideration of this application, as amended, is respectfully requested.

Respectfully submitted,



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